

LFC Requester:**Sunny Liu****AGENCY BILL ANALYSIS
2016 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:****LFC@NMLEGIS.GOV***and***DFA@STATE.NM.US***{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}**Check all that apply:*Original ☒ Amendment ☐
Correction ☐ Substitute ☐**Date** 01/22/2016**Bill No:** SB163**Sponsor:** Sen. John C. Ryan**Agency Code:** 305**Short Title:** SEGREGATED SALE OF
GROWLERS**Person Writing** AAG James J. Torres**Phone:** 827-6047 **Email** jtorres@nmag.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Relates to:

N/A

SECTION III: NARRATIVE

BILL SUMMARY

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

SB 163 amends the Liquor Control Act to allow for the segregated sale and refilling of growlers. This bill amends the definitions of "dispenser" and "retailer" contained in Section 60-3A-3 to include the licensed sale of growlers. SB 163 amends 60-6B-19, relating to the segregated sale of alcohol, to require the director of the Alcohol and Gaming Division to create rules allowing for the sale and refilling of beer, wine, and cider in growlers.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

Although SB 163 appears to be in compliance with the open container law (Section 66-8-138), special attention should be given to this statute as SB 163 allows for the refilling and removal of growlers from licensed premises.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS

N/A